

# Notice of Allowability

Application No.

09/784,448

Examiner

Basia Ridley

Applicant(s)

KANEKO, MASAMOTO

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Preliminary Amendment filed on 27 February 2001.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>020504</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>070502</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                             | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|  | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Paul Guss on 5 February 2004.

The application has been amended as follows:

#### **In the Specification:**

Abstract was deleted and substituted with the following:

--A waste is dry-distilled in a gasification furnace and generated combustible gas is combusted in a combustion furnace. A temperature in the combustion furnace is set to be substantially constant at a first preset temperature or more. When the temperature in the combustion furnace is greater than the first preset temperature by combustion of other fuels, the combustible gas is introduced. When the temperature in the combustion furnace reaches a second preset temperature or more by the combustion of only the combustible gas, the combustion of the other fuels is finished. When the temperature in the combustion furnace falls below a third preset temperature the combustion of the other fuels is resumed. When the temperature in the gasification furnace falls below a fourth preset temperature, the combustion of the other fuels is finished.--.

#### **In the Claims:**

Claim 1, line 14, before "by" inserted --caused--;

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lines 16-17, deleted “to be substantially constant”;

lines 21-24, “containing the waste regulated to generate the combustible gas having a heat amount to set the temperature in said combustion furnace to the first preset temperature or more during the combustion in said gasification furnace,” was deleted and replaced with --containing in the gasification furnace the waste regulated to generate the combustible gas having a heat amount for setting the temperature in the combustion furnace at the first preset temperature or more,--;

line 37, deleted “and” and inserted --by--;

line 46, deleted “temperature” and inserted --temperature, wherein said fourth preset temperature is--.

Claim 8, line 2, deleted “any one of claims 1, 2 or 7” and inserted --claim 1--.

Claim 9, line 2, deleted “any one of claims 1, 2 or 7” and inserted --claim 1--.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Fig. 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated, as set forth on page 18, line 25 to page 19, line 2 of specification. See MPEP § 608.02(g). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. The “Partial Translation of German (DE) citation (...)” and “A copy of the EPO Communication (...)” cited in the information disclosure statement filed on 5 July 2002 have been considered, but will not be printed on any patent resulting from this application.

4. The following is an examiner’s statement of reasons for allowance:

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The closest prior art is Sangyo (EP 543,480), but the reference does not disclose the specific combination of control method steps, as set forth below. Therefore, the claim combination wherein, waste incineration method comprises the following steps: controlling the amount of oxygen supplied to the gasification furnace based on temperature change in the combustion furnace caused by the combustion of the combustible gas, combusting the generated combustible gas with the other fuels when the temperature in the combustion furnace reaches the first preset temperature, stopping the combustion of the other fuels when the temperature in the combustion furnace reaches a second preset temperature higher than the first preset temperature by the combustion of only the combustible gas, maintaining the temperature in the combustion furnace to be substantially constant at the second preset temperature or more by combusting only the combustible gas, resuming the combustion of the other fuels and combusting the combustible gas with the other fuels when the temperature in said combustion furnace falls below a third preset temperature lower than the substantially constant temperature and higher than the first preset temperature and maintaining the temperature in the combustion furnace at the first preset temperature or more, and finishing the combustion of the other fuels when the temperature in the gasification furnace falls below a fourth preset temperature, wherein said fourth preset temperature is lower than a maximum temperature in the gasification furnace, is allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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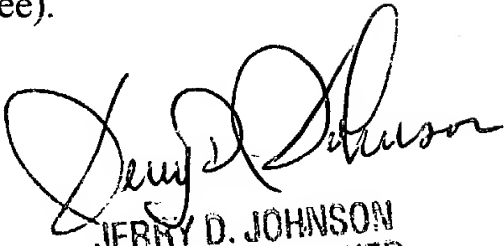
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Basia Ridley, whose telephone number is (571) 272-1453. The examiner can normally be reached on Monday through Thursday, from 9:00 AM to 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola, can be reached on (571) 272-1444.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Technical Center 1700 General Information Telephone No. is (571) 272-1700. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Questions on access to the Private PAIR system should be directed to the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

Basia Ridley   
Examiner  
Art Unit 1764

  
JERRY D. JOHNSON  
PRIMARY EXAMINER  
GROUP 1100

BR  
February 9, 2004